

Resolved, That it is the sense of the Senate that—

(1) the congressional review provision under section 135 of the Atomic Energy Act of 1954 (42 U.S.C. 2160e), as added by section 2 of the Iran Nuclear Agreement Review Act of 2015 (Public Law 114-17), does not apply to the Joint Comprehensive Plan of Action announced on July 14, 2015, because the President failed to comply with the transmission to Congress provisions of such section 135;

(2) because the President did not transmit to Congress “all related materials and annexes” within five days of reaching agreement with Iran, the statutory congressional review provided for in such section 135 did not occur, at least not in the manner envisioned by the members of Congress who voted for Public Law 114-17;

(3) in light of the President’s failure to submit the entire “agreement with Iran relating to the nuclear program of Iran,” including side agreements, to Congress within five days, the congressional review provision of such section 135 by its own terms was not applicable to the partial agreement that the President submitted to Congress, known as the JCPOA, and therefore in order for the substance of what was submitted to Congress to become “the supreme Law of the Land” pursuant to Article VI, clause 2 of the Constitution, it would need to be either treated by the Senate as a treaty “provided two thirds of the Senators present concur” pursuant to Article II, section 2, clause 2 of the Constitution, or Congress would need to enact new implementing legislation that supersedes the mandatory statutory sanctions that the JCPOA purports to supersede;

(4) the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (CISADA), section 1245 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81), the Iran Freedom and Counter-Proliferation Act of 2012 (IFCA), and the Iran Threat Reduction and Syria Human Rights Act of 2012 (TRA) remain “the supreme Law of the Land” unless and until a Senate-ratified treaty or duly enacted statute repeals or otherwise supersedes them and becomes “the supreme Law of the Land” pursuant to Article VI, clause 2 of the Constitution; and

(5) the Senate, which has the power to consent to treaties under Article II, section 2, clause 2 of the Constitution, has not and does not consent to the JCPOA, which is therefore not “the supreme Law of the Land,” and the President therefore has a constitutional duty to ensure that the Iran sanctions laws, including CISADA, section 1245 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81), IFCA, and TRA, continue to be faithfully executed.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2649. Mr. REID submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 61, amending the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table.

SA 2650. Mr. REID submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 61, supra; which was ordered to lie on the table.

SA 2651. Mr. REID submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 61, supra; which was ordered to lie on the table.

SA 2652. Mr. REID submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 61, supra; which was ordered to lie on the table.

SA 2653. Mr. REID submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 61, supra; which was ordered to lie on the table.

SA 2654. Mr. REID submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 61, supra; which was ordered to lie on the table.

SA 2655. Mr. REID submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 61, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 2649. Mr. REID submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 61, amending the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end, add the following:
This Act shall become effective 14 days after enactment.

SA 2650. Mr. REID submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 61, amending the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

In the amendment, strike “14 days” and insert “13 days”.

SA 2651. Mr. REID submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 61, amending the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end, add the following:
This Act shall become effective 12 days after enactment.

SA 2652. Mr. REID submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 61, amending the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care

Act; which was ordered to lie on the table; as follows:

In the amendment, strike “12 days” and insert “11 days”.

SA 2653. Mr. REID submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 61, amending the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end, add the following:
This Act shall become effective 10 days after enactment.

SA 2654. Mr. REID submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 61, amending the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

In the amendment, strike “10 days” and insert “9 days”.

SA 2655. Mr. REID submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 61, amending the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

In the amendment, strike “9” and insert “8”.

NOTICES OF HEARINGS

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. ALEXANDER. Mr. President, I would like to announce that the Committee on Health, Education, Labor, and Pensions will meet during the session of the Senate on September 16, 2015, at 10 a.m., in room SD-430 of the Dirksen Senate Office Building, to conduct a hearing entitled “Achieving the Promise of Health Information Technology: Improving Care Through Patient Access to Their Records.”

For further information regarding this meeting, please contact Jamie Garden of the committee staff on (202) 224-7675.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. ALEXANDER. Mr. President, I would like to announce that the Committee on Health, Education, Labor,